

UTTARAKHAND FOOT LAUNCH AERO SPORT (PARAGLIDING) RULES 2018

In Pursuance of the provisions of clause (3) of Article 348 of 'the Constitution of India', the Governor is pleased to order the publication of the following English translation of notification dated 06/4/2018 for general information. Government of Uttarakhand Tourism Section No. Dehradun, Dated : September, 2018 NOTIFICATION Miscellaneous In exercise of the powers conferred by Clause (a) and (b) of sub-section (2) of section 8 of the Uttarakhand Tourism Development Board Act, 2001 (Uttarakhand Act No. 12, Year 2001), the Governor is pleased to allow to make the following rules, to regulate Foot launch Aero sports (Including Paragliding) activities; licensing; accreditation; and for determination of charges and other conditions for similar works in Uttarakhand. The Uttarakhand Foot Launch Aero sport (Paragliding) Rules 2018 Short title, extent and commencement Definitions 2. CHAPTER- I PRELIMINARY (1) This rules may be called Uttarakhand Foot Launch Aero sport (Paragliding) Rules 2018. (2) It extends to the whole of the State of Uttarakhand limited to paragliding aero sport. (3) It shall come into force at once. (1) In these rules, unless there is anything repugnant in the subject or context (a) "Act" means the Uttarakhand Tourism Development Board Act, 2001 as amended from time to time; (b) "State" means the State of Uttarakhand; (c) " Board I UTDB " means Uttarakhand Tourism Development Board (UTDB) established under Sub section (1) of section 3 of the Uttarakhand Tourism Development Board, Act, 2001 by state of Uttarakhand; (d) "Chief Executive Officer" means the Chief Executive Officer of the Uttarakhand Tourism Development Board; (e) "District Magistrate" means District Magistrate of the (f) (g) concerning District; "Additional Chief Executive Officer" means the Additional the Uttarakhand Tourism Chief Executive Officer of Development Board; "Applicant" means any Person/Company/Institution/Firm, willing to seek permission for paragliding aero sport for tour, expedition, training, competition, etc. for commercial or non- commercial purposes; "Permit issuing Authority" means the C.E.O., Uttarakhand Flying Season 3. Tourism Development Board or an officer nominated by CEO; (i) "Permit Holder I Operator" means the company / firm holding permit to carry out (commercial paragliding) Aero sport activities under these rules; (j) "Solo Pilot I Tandem pilot I Instructor " means a person holding 'Identity Card' under these rules for safe operation of (paragliding) Aero sport , (k) "Operation" means conduction of the (including commercial [training of paragliding) Aero sports activities under these rules; (l) "Participant" means a person participating paragliding activity; (m) "Paraglider" means the canopy which may be used to glide in air; (n) "Tandem" means paragliding activity involving 2 people (one pilot and an one passenger) on 1 paraglider; (o) "BHPA I USHGA" means British Hang Gliding and Paragliding Association / US Hang Gliding and Paragliding Association; (p) "F.A.I. means Federal Aeronautical International / A.C.I. means Aero club of India; (q) "District Tourism Development Officer (D.T.D.O.) means the Officer in-charge of tourism department/UTDB of the concerned district as the condition prevails; (r) Adventure Sports Officer means the officer who take care of Adventure sports of the district; (s) "Technical Committee" means the committee constituted under Chapter- IV of these rules; (t) "Foot Launch Aero sport" means all aero sport which is launched on feet, not on wheels including paragliding; (2) Words and expressions used in these rules but not defined shall have the same meanings respectively assigned to them in the Uttarakhand Tourism Development Board Act, 2001 "Season" means whole of the year excluding the period 15th of July to 31st August, during which no Aero sports operation shall be permitted except solo or non-commercial flyers / according to VFR (Visual Flight Rules). Procedure for grant of permit for Commercial operation Procedure for grant of permit- Non-commercial operation 4

5. CHAPTER- 11 REGISTRATION (1) Any applicant who is wishing to participate in commercial paragliding activities shall apply for permit to the Chief Executive Officer of Uttarakhand Tourism Development Board in prescribed form at Annexure-'A'.between 16th July to 30th August every year along with the fee of Rs. 1000/- in form of demand draft (non refundable) in favor of the Chief Executive Officer, UTDB or in cash. Incomplete application form shall not be entertained. (2) After scrutinizing these applications initially, Shall be put up before the Technical Committee as mentioned in Chapter —IV (9) (which needs to be constituted), which shall fix date time & venue for the scrutiny/inspection of the documents, equipments conducting practical / physical tests & guides before 30 hof August each year. On approval of the applicant's application, he/firm shall be issued operator permit. Incomplete application forms shall not be entertained. (3) After recommendation of Technical Committee Chief Executive

Officer, UTDB shall issue the permit. (4) Activities which are covered under commercial paragliding include Tandem paragliding only by training establishments in the State of Uttarakhand. (5) Initial operator permit shall be issued for a period of 5 years. (6) Each operator permit shall restrict operator to a maximum of 10 tandem paragliders and minimum of 2 tandem paragliders. The exact number of tandem paragliders permitted for each operator shall be decided by the technical committee based on capacity plan for the specific flying site (7) Operator permit shall be specific to each flying site and the (2) operators already plying shall have to seek permit for each site after notification of these rules. These sites are to be studied and finalised by the Technical committee However, if applications for operator permit are received in excess to the capacity of the flying site, operator selection Shall be made through lottery or auction among the eligible operators. First come basis or on basis of alternate sites, Any applicant who wishing to participate in noncommercial paragliding activities Shall apply for permission to the C.E.O. at least two weeks prior to the date proposed for the event / activity in prescribed form at Annexure-'B'

Activities which are covered under noncommercial paragliding include a. Solo paragliding / visiting solo pilots b. c. d. Tandem noncommercial paragliding Participation in paragliding competitions Training for paragliding to be provided by trainers and establishments with at least 10 year's experience. Renewal of Permit - Commercial Aero sport (commercial paragliding) Fee Responsibilities and duties of permit holder I operator 6. 7. 8. (3) (1) (2) The Government Department / Armed forces shall be exempted from obtaining permit for carrying out aero sport. However, they shall be required to inform the Chief Executive Officer at least two weeks prior to the date proposed for the event / activity. Every permit holder/operator shall have to submit application for renewal of permit to the Chief Executive Officer, UTDB in the similar manner as prescribed in rule 4 (1), (2). All the applications for renewal shall be examined by the office of Chief Executive Officer and if required shall be sent to the Technical Committee for their evaluation and recommendation. Renewal of paragliding permit shall be issued for five years based on operator's past performance assessment by the permit- issuing authority. (1) The Aero sport annual fee fixed for each flying site in Annexure- 'C', shall be amended by the Chief Executive Officer from time to time with the consent of the State Government. As additional sites are identified, fee structure for new sites shall be added as required. (2) Annual fee must be submitted between 15th July to 30th August. Failing which may lead to cancellation of permit / permission. CHAPTER- III RESPONSIBILITIES AND DUTIES OF PERMIT HOLDER/OPERATOR (1) Each operator shall have to arrange for the following equipments before he is permitted to carry out the operation and at time of inspection the technical committee shall check each equipment namely:- (i) Flying equipment of either EN (European Norm of Paragliding Certification or DHV (Deutscher Hangegleiter Verband) certified only (ii) Safety Parachute and Helmet. (iii) Instrument panel (Altimeter / barometer/ compass/ Air Speed Indicator) and General Positioning system. (iv) Ground support and retrieval Vehicle. (2) The permit holder / operator and his employees shall at all times ensure strict compliance of these rules and the provisions therein. (3) Every operator shall inform the charges levied from tourist for aero sports to District Magistrate/DTDO and Shall publish the same in their brochures, booklets, etc. In case of any change in the charges, the same shall be intimated to District Magistrate / D TDO immediately. (4) The operator shall keep a complaint / suggestion book at office reception / camp. (5) Every operator shall provide monthly statistics of domestic and foreign tourist to UTDB on prescribed format at Annexure-'D' and shall also upload this information on the link provided with the website of UTDB. (6) Every operator shall provide employment to the domiciles of Uttarakhand in accordance with the directives issued by the Industries department from time to time. • (7) Every operator shall have to submit the details of pilots appointed in his / her firm to local police station. (8) Every operator shall ensure that paragliding equipment is used in accordance with the bearing capacity prescribed by the manufacturing company or as per the bearing capacity determined by the Technical Committee. (9) Every permit holder / operator shall keep the local district administration and Tourism department informed about the VIPs going for Aero sport. (IO) In case of any incident, the operator shall immediately inform to the local district administration, police station and the permit issuing authority. (I I) Paragliding safety equipment including reserve parachute is mandatory for a. All tandem flights b. Solo flights where takeoffs are above 400 meter AGL (above ground level) (12) Every permit holder/operator shall produce the permit on demand to concerned officer or any tourist. (13) Digital log of each glider / pilot shall be maintained every day. (14) Every permit holder / pilot / operator shall produce following documents - a. b. c. Paragliding equipment — The equipment will be produce before the Technical

committee every 2 years or after usage of 200 hours, whichever is earlier. 200 hours is the maximum limit of flying equipment especially the canopy. Pilots — Pilot license renewal every 5 years or adhoc evaluation in case of an incident report Operators- As mentioned in operator grant of permit rules in section 4 & 6. Adhoc evaluation for surprise check and in case of incident reports Constitution of the Technical Committee 9. (15) It is mandatory for every operator to take consent of every passenger / client on indemnity form before operation. CHAPTER- IV AERO SPORTS TECHNICAL COMMITTEE The UTDB shall by notification constitute a Technical Committee for Aero sports activities which shall consist of the following members :- (a) An Officer of UT DB nominated by Chief Executive Officer. (b) Director General, Health or Medical Officer -Convener Member Member Member Member Member - Member. Function of the Technical Committee 10. (c) (d) (f) (g) (1) (a) (b) (c) (d) nominated by him. Commandant, BSF Institute of Advance Adventure Training, Doiwala (DDN) or Officer nominated by him One members from Paragliding Association of Uttarakhand & 1 member from registered State Associations One member of Federal Aeronautical International (F.A.I.) / Aero Club of India (ACI) in National level DTDO / ASO from concerned district Any one person nominated by Chief Executive Officer UTDB Functions of the Technical Committee are as follows:- The Technical Committee shall meet twice in a year or as per the directives of CEO The Technical Committee shall examine all applications technically (new applications / renewal) for seeking Aero sports flying permits The Technical Committee shall examine the bio- data of the operator and pilots The Technical Committee shall examine the paragliders (porosity check, rip test and lines of gliders) and other equipment's in accordance with the international standard. Airworthiness checks shall be performed on the following equipment a. Paraglider b. Harness — pilot and passenger c. Reserve parachute The Technical Committee shall examine the knowledge, safety and rescue skills and first aid knowledge etc. of Aero sports from each commercial tandem pilot: minimum qualification criteria for application Shall be 100 hours of flying experience & 50 non-commercial tandem launches (Digital log book submission required) (Format - Annexure 'E') (g) The Technical Committee shall search and identify new sites of Uttarakhand and shall examine the suitability of any operation before starting the activity; (h) The Technical Committee shall assess the carrying capacity of each flying sites for 5 years. The Technical Committee shall perform such responsibilities as assigned to them from time to time The Regulatory Committee and its functions Safety and rescue equipments Timing Insurance cover Medical Assistance 11. 12. 13. 14. 15. (2) (3) (4) (5) (6) (7) (8) (9) time by UTDB. / State Government. The UTDB shall by notification constitute a Regulatory Committee for aero sports activities in the chairmanship of Additional Chief Executive Officer (Additional Chief Executive Officer) of UTDB. A member of Police / Civil Aviation or any other concerned Department may be nominated as special invite member. Two experts to be nominated by Additional Chief Executive Officer (1 pilot in National ranking of F.A.I who hails from Uttarakhand in accordance to F.A.I national Ranking system) and one member of Aero Club of India/ BSF. An officer from UTDB nominated by Additional Chief Executive Officer as a Member Secretary. Additional Chief Executive Officer, U TDB Shall be authorized to take decisions on behalf of regulatory committee until or unless arising of any sensitive matter. The Regulatory Committee shall have complete control over operation of aero sports activities and shall also work towards developing basic infrastructure and facilities at district level. The CEO shall nominate any other member for Regulatory Committee to whom he may consider appropriate. The Regulatory Committee shall give suggestions to make rules and regulations or amend in the rule regarding safety and rescue measures To work on state certification / licensing and course designing. with the help of national and international experts / institution, that governs the Activity. (10) The Regulatory Committee shall conduct surprise checking during aero sports activities in time to time CHAPTER- V SAFETY MEASURES Each operator shall have to produce the equipment as mentioned in Annexure-'F' before the Technical Committee for airworthiness assessment. Aero sports (paragliding) activities shall be carried out only in day light between sunrise and sunset. No launches half hour before sunset. The permit holder / operator Shall make sure that all equipment / tourist / pilots / trainees have insurance cover for paragliding. Every permit holder / operator — (1) Shall keep co-ordination to take care of emergency cases with a hospital and Shall keep information of nearby doctors and hospital available. (2) It shall be mandatory to keep a first-aid-box with stretcher and spinal board in every flying site at takeoff and landing or any Safety Standards Qualification of Operators Qualification of Tandem Pilots 160) (11) 17. 18. (2) (3) (4) (5) contents to be specified by the Technical Committee. People suffering from serious ailments like vertigo / Heart Patients / Epilepsy / other chronic patients such

as Asthma and respiratory problems shall not be allowed for (paragliding) Aero sports Before commencement of tandem paragliding activity, every pilot shall give a comprehensive briefing about safety and rescue to participating passengers / tourist. Tandem operator / pilot shall ensure that he / she along with the passenger are wearing a helmet certified for air sports. Passenger shall be told to wear shoes instead of flimsy slippers / floaters / sandals or high heels. Passengers should be advised on clothing too. Pilot shall not fly in conditions or perform maneuvers that, by any means or actions, put the life of the passenger at risk. Pilot shall ensure that the passenger is correctly briefed about the risks involved in the activity. (6) If the passenger is unwilling to continue with the flight after being explained about the risks of the activity, pilot / tandem operator shall not force the passenger to continue with the tandem ride. (7) pilot and passengers shall not be under the influence of alcohol or any other intoxicating drug while performing or participating in paragliding. (8) The operator/pilots shall ensure that all passengers wear a proper certified harness buckled at the time of take off. (9) The operator / pilots have to ensure favorable weather conditions (eg wind strength, clouds etc.) before commencing the activity. The tourists below the age of less than 14yrs/20kg. and above the age of 65 years shall not be allowed for (paragliding) Aero sports.

CHAPTER- VI QUALIFICATIONS OF OPERATORS 1 TANDEM PILOTS 1 INSTRUCTORS An applicant Shall be eligible to apply for being an operator on having the following qualifications:- (1) The applicant should be a resident of Uttarakhand for at least 10 years or have a domicile of this state. (2) The applicant should have advanced practical/technical knowledge of Aero sport which may be tested through oral exam taken by the technical committee. The Tandem Pilot Shall be eligible to apply for being a Tandem pilot on having the following qualifications:- (1) The Tandem Pilot should be minimum 10th class pass. (2) The Tandem Pilot should be a pilot with at least 100 flying hours Qualifications of Paragliding Instructors 19. of experience (Digital log book proof Shall be required). (3) The Tandem Pilot should have performed at least flights of -a minimum arial distance of 50 kms. A digital log of these flights on the Tandem Pilot name Shall be mandatory. (4) The Tandem Pilot should have advanced practical knowledge of the sport which may be tested through a practical exam taken by the technical committee. (5) The Tandem Pilot should be medically fit and have an appropriate medical certificate and subjected annual medical examination with valid First Aid and CPR certification. (6) The operator should have a valid third party liability insurance covering paragliding. (7) The Tandem Pilot should have completed an SIV (Simulation during flights) of Tandem (paragliding safety course). (8) Technical committee Shall reserve the right to qualify pilots based on their international license which may certify them. Only licenses recognized by a country / association (BHPA / USHGA/FAI/ACI) Shall be accepted as a valid license. (9) The Tandem pilot / Instructor who are already working in this field with technical qualification mention in 18 (2) (3) and not having required educational qualifications as per 18 (1) allowed to acquire necessary educational qualification with in two years. (10) The Tandem Pilot/ Tandem Instructor should be certified by any recognized National Level Association/ Institution. An applicant Shall be eligible to apply for being a Paragliding instructor on having the following qualifications:- (1) (2) (3) (4) (5) (6) (7) (8) (9) The applicant should be a graduate from a recognized University or equivalent qualification. The applicant should be a pilot with at least 200 flying hours of experience and in case of Master instructor it should be a 400 flying hours experience (Digital log book proof shall be required) The applicant should have performed at least flights of a minimum aerial distance of 50 kms. A digital log of these flights on the applicants name will be mandatory. The applicant should have advanced practical knowledge of the Aero sport which may be tested through a practical exam taken by the technical committee. The applicant should be medically fit and have an appropriate medical certificate and subjected annual medical examination. The applicant should have a valid insurance covering paragliding. The applicant should have completed an SIV (paragliding safety course). Technical committee will reserve the right to qualify pilots based on their international license which may certify them. Only licenses recognized by country/ association a (BHPA/USHGA/API/ACI/FAI) will be accepted as a valid license, and valid First Aid and CPR certification. Technical committee will reserve the right to issue the right level of instructor license (e.g., assistant instructor, Instructor, Master Instructor, etc.) (10) An instructor will have authorization for conducting paragliding courses based on his / her experience and will have authority to train solo pilots under supervision and issue solo flying certificate. Instructor will log all solo fliers' certificate with UT DB for records. **CHAPTER- STANDARDS RELATING TO ENVIRONMENTAL SAFETY** Every operator / permit holder shall ensure compliance of the following standards - Standards for Environmental Safety

Penalty 20. 21. (1) (2) (3) (4) (5) (6) (7) Conservation of eco-system and wild life in view of the eco-sensitivity of the Himalayan region. Disposal of garbage in a pit prepared for the purpose or at a designated place. In no case the garbage shall be disposed off into open. In no circumstances, polythene and plastic shall be consumed. All non-degradable substances such as, empty bottles, tin etc. shall be handpicked and kept in the waste bin and the same shall be disposed off through appropriate method. Rivers, streams and springs shall be kept pollution free from contamination by soap (detergent). No pilot / employee / tourist shall use transistor, MP3 player etc., or any other electronic entertainment device in high volume. Taking away of tree / plant cuttings, seeds and roots from Uttarakhand shall be deemed illegal. CHAPTER- VIII LEGAL IMPLICATION In case of any operator/ tandem pilot (paragliding) is not found adhering to the rules / guidelines shall be levied penalties as per follows: (1) (2) (3) (4) If an operator found operating paragliding activities without permission or if pilot/passenger found flying without shoes and helmet and if equipment found in bad/damage or without the certificate of air worthiness and if two person found using one harness at the same time, the license of operator/license of holder shall be canceled. Repetition of mistakes / breaking of rules may lead to cancellation of permit and the operator may also be punished under Indian Penal Code Act. In case of any operator / tandem pilot (paragliding) is found not adhering to the environmental rules / guidelines, the permit will be cancelled and shall be punishable under the provisions of relevant Forest, Wildlife and Environment Act and Rules made there under. Any operator / pilot, willfully makes a false statement / suppresses a material fact / intention to mislead to permit issuing authority,

